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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,304	08/01/2003	James S. Tisol JR.	13978	3694

7590 08/06/2004

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ILLINOIS TOOL WORKS INC.
3600 WEST LAKE AVENUE
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EXAMINER

STERLING, AMY JO

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 08/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/632,304

Applicant(s)

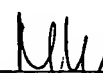
TISOL, JAMES S.

Examiner

Amy J. Sterling

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the first Office Action for application number 10/632,304, D-Ring Retainer, filed on 8/1/03. Claims 1-20 are pending.

Information Disclosure Statement

The information disclosure statement submitted on 8/1/03 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

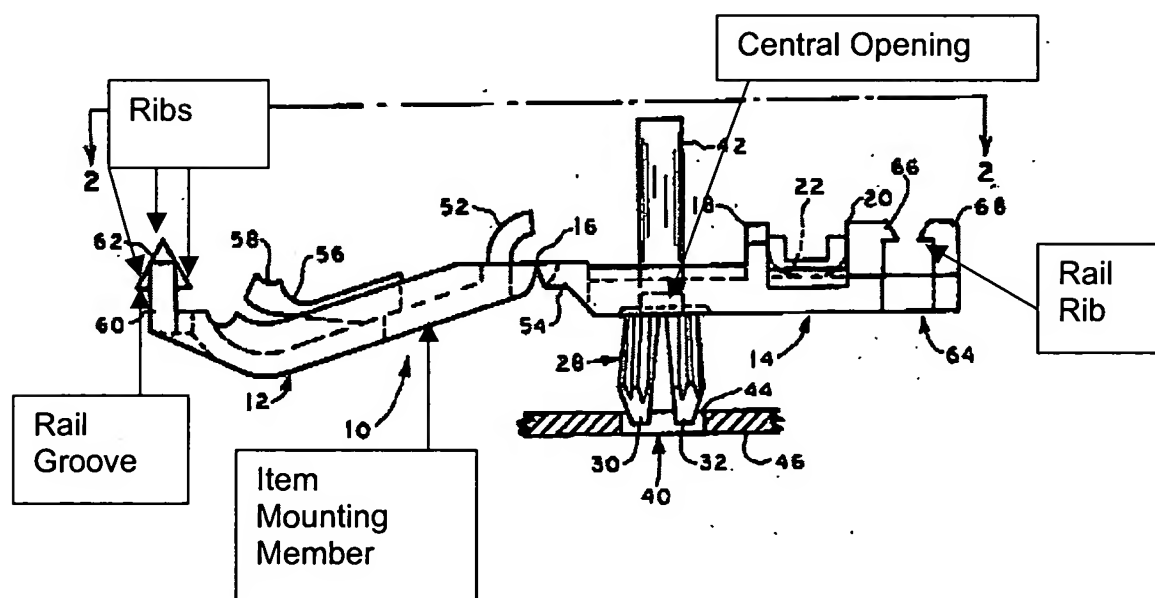
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-9 and 16-20 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 4264047 to Nelson.

The patent to Nelson discloses a retainer (10) having a lower mounting base (14) with an upper surface and a mounting base lower surface and defining a central opening (See Drawing Below), the lower mounting base including at least one rail (66) and rib (See Drawing Below) extending outwardly from and across the mounting base upper surface, a release member (68) with a fixed and free end the free end moveable,

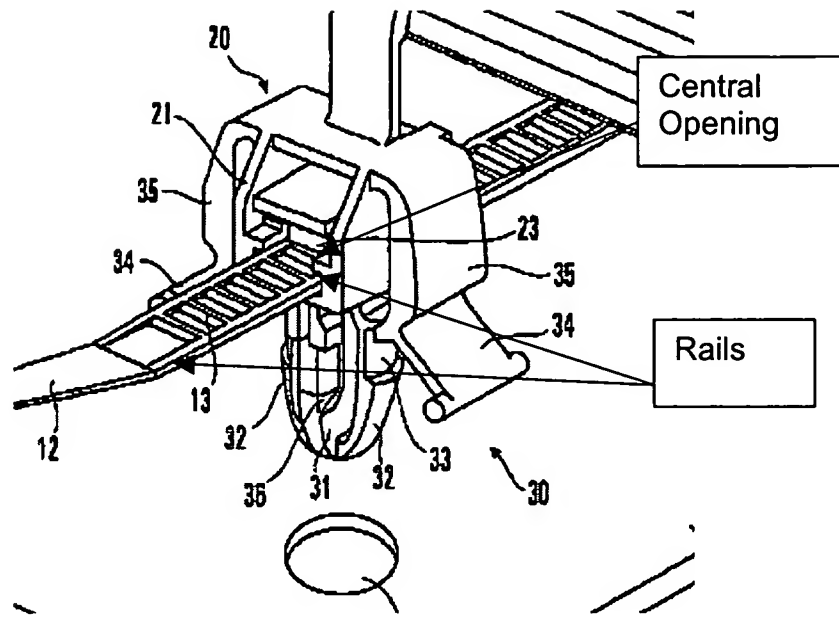
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the release member extending radially outward from the central opening, and a retainer leg (28) with substrate-engaging surfaces (30) extending outwardly from the mounting base lower surface and an upper component (12) mountable to the lower mounting base, the upper component having an upper surface and a lower surface, the upper component including at least one rail (60) with a rail groove (See marked up Drawing Below) extending outwardly from and across the lower surface of the upper component for engagement with the at least one rail of the lower mounting base, a pair of side ribs which are parallel to a central rib (62) extending outwardly from and across the lower surface of the upper component for engagement with the release member, and an item-mounting member (See Drawing Below) extending outwardly from the upper surface of the upper component for mounting items to the retainer and a leg finger (42) which extends through the central opening to facilitate insertion and removal of the lower mounting base in the substrate.



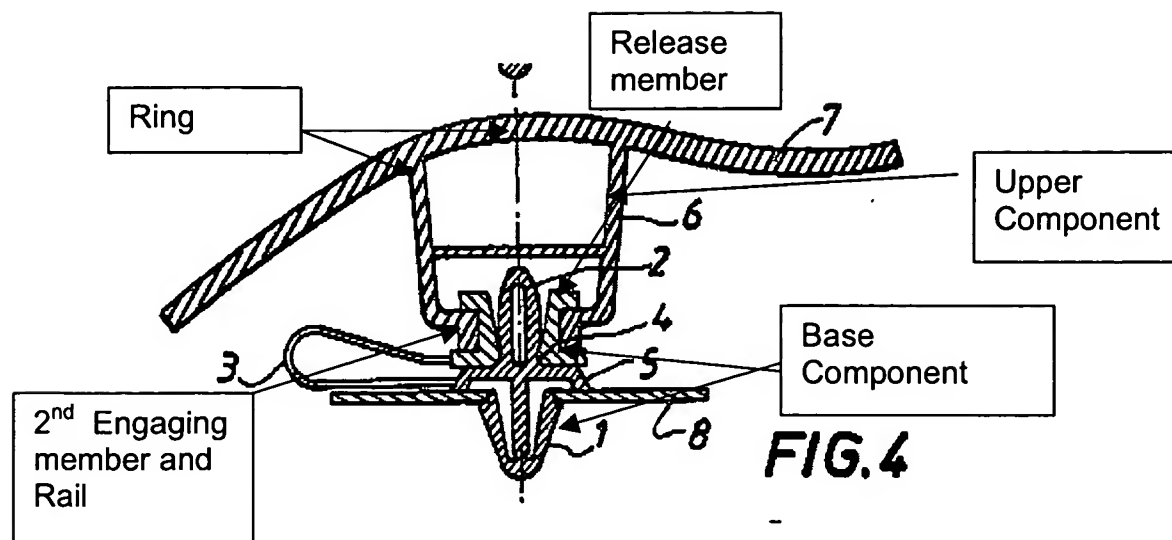
Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 6749157 to Takeuchi.

The patent to Takeuchi discloses a retainer (1) for use in securing items within a vehicle having a lower mounting base (20) having a mounting base (35) upper surface and a mounting base lower surface and defining a central opening (See Drawing Below), the lower mounting base including at least one rail (See Drawing Below) extending outwardly from and across the mounting base upper surface, a release member (23) extending radially outward from the central opening, and a retainer leg (31) extending outwardly from the mounting base lower surface and an upper component (10) mountable to the lower mounting base, the upper component having an upper surface and a lower surface, the upper component including at least one rail (See Drawing Below) extending outwardly from and across the lower surface of the upper component for engagement with the at least one rail of the lower mounting base, a central rib (13) extending outwardly from and across the lower surface of the upper component for engagement with the release member, and a ring shaped item-mounting member (10) extending outwardly from the upper surface of the upper component for mounting items to the retainer.



Claims 10-15 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 6394695 to Chausset.

The patent to Chausset teaches a base component (See Drawing Below) including a first component engaging member (4) a retainer leg (1) with a substrate engaging member (11) extending outwardly from the base component, and a release member with a movable free end (See Drawing Below) and an upper component including a ring (See Drawing Below), a second engaging member (See Drawing Below), including a rail and a leg finger (2) which extends through the central opening in the base



Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following documents show various retainers

6171014 to Meyer

6105216 to Oppershauser

5601262 to Wright

5601261 to Koike

4766651 to Kobayashi et al.

4735387 to Hirano et al.

4509710 Cooper et al.

Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 703-308-3271. The examiner can normally be reached

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(M-F 8 a.m.-5:00 p.m.). If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leslie Braun can be reached at 703-308-2156. The fax machine number for the Technology center is 703-872-9306 (formal amendments) or 703-308-3519 (informal amendments/communications).

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 703-308-2168.



AJS
Amy J. Sterling
7/30/04


ANITA KING
PRIMARY EXAMINER